

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION

BRANDON ELROD,

Plaintiff,

v.

Case No: 4:21-cv-094

SOUTHEASTERN PAPER GROUP,  
INC., XYZ CORP. NOS 1 THROUGH  
20, JAMES E. VALENTINE,  
TRILLIUM DRIVER SOLUTIONS,  
INC.

Defendants.

**NOTICE OF REMOVAL**

COMES NOW Defendant Trillium Drivers Solutions, Inc. (“Defendant”), and, pursuant to 28 USC § 1446(b)(2), files this Petition for Removal of the action herein from the State Court of Chatham County, Georgia to the United States District Court for the Southern District of Georgia, Savannah Division and respectfully show the Court the following:

1.

Plaintiffs filed a civil action in the State Court of Chatham County, Georgia, styled *Brandon Elrod v Southeastern Paper Group, Inc., James E. Valentine*, Civil Action File No. STCV20-00267. Plaintiff filed an Amended Complaint adding *Trillium Drivers Solutions, Inc.* as a Defendant. (Attached as Exhibit “A” are

copies of all process, pleadings, and orders received by counsel for Defendants in such action).

2.

This Notice of Removal is filed within thirty (30) days of service upon Defendant Trillium Drivers Solutions, Inc. Defendant Southeastern Paper Group, Inc. was served with this action on May 20, 2020 and consents to removal. Defendant Valentine was served with this action on May 12, 2020 and consents to removal.

3.

The State Court of Chatham County, Georgia is within the Southern District of Georgia, Savannah Division, and removal to this Court is proper pursuant to 28 U.S.C. § 1441(a).

4.

Attached as Exhibit “B” is a copy of the Notice of Filing Notice of Removal that is being filed with the State Court of Chatham County as required by 28 U.S.C. § 1446(d).

5.

Plaintiff in this action is Brandon Elrod. Mr. Elrod is a citizen of the State of Georgia.

6.

Southeastern Paper Group, Inc. is a South Carolina corporation with its principal place of business in South Carolina. Defendant James Valentine is a citizen of the State of Florida. Trillium Driver Solutions, Inc. is an Iowa corporation with its principal place of business in Michigan. (Attached as Exhibit “C” is a copy of the undersigned’s Affidavit regarding removal).

7.

Complete diversity of citizenship exists between the parties to this case.

8.

Plaintiff’s Complaint seeks to recover for bodily injury and damages including medical and other expenses, mental and physical pain and suffering, personal inconvenience, and an inability to lead a normal life. Plaintiff seeks to recover \$381,740.29 in past medical expenses. The amount in controversy in this case exceeds \$75,000.<sup>1</sup>

9.

Therefore, this action is one over which this Court has diversity jurisdiction pursuant to 28 U.S.C. § 1332, in that (a) Plaintiff and Defendants are citizens of

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<sup>1</sup> While the amount in controversy satisfies the requirements for removal, Defendants do not concede they are liable to Plaintiff as alleged in the Complaint and reserves all defenses.

different states, and (b) the matter in controversy has a value, exclusive of interest and costs, in excess of \$75,000.

10.

Defendant Trillium Driver Solutions, Inc. is expressly authorized to state that Co-Defendants Southeastern Paper Group, Inc. and James Valentine consent to the removal of this matter to this Court and are filing a Notice of Consent to Removal. (Attached as Exhibit “D” are copies of the Notice of Consent to Removal by Co-Defendants’ counsel).

12.

Defendants reserve all defenses, including those of service, venue and personal jurisdiction, and will answer or present other defenses within the time permitted by Federal Rule of Civil Procedure 81(c).

WHEREFORE, Defendants pray that this petition be filed, that said action be removed to and proceed in this Court, and that there be no further proceedings in said case in the State Court of Chatham County, Georgia.

The undersigned has read this Notice of Removal, and to the best of his knowledge, information and belief, formed after reasonable inquiry, determined it is well-grounded in fact, is warranted by existing law, and is not interposed for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.

The undersigned reserves the right to amend or supplement this Notice of Removal.

WHEREFORE, these Defendants respectfully remove this action from the State Court of Chatham County, Georgia to this Court under 28 U.S.C. §§ 1332, 1441, and 1446.

This 1st day of April, 2021.

s/ Gwendolyn D. Havlik

Stevan A. Miller

**Georgia Bar No. 508375**

Gwendolyn D. Havlik

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***Attorneys for Defendant Trillium Drivers Solutions, Inc.***

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SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION

BRANDON ELROD,

Plaintiff,

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Case No:

SOUTHEASTERN PAPER GROUP,  
INC., XYZ CORP. NOS 1 THROUGH  
20, JAMES E. VALENTINE,  
TRILLIUM DRIVER SOLUTIONS,  
INC.

Defendants.

**CERTIFICATE OF SERVICE**

This is to certify that I have this day served all parties of record with a copy of the foregoing *Notice of Removal* via CM/ECF, which will automatically deliver electronic notification to the following counsel of record:

Matthew L. Hilt  
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25 Bull Street, Suite 400  
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Craig P. Terrett  
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Hugh M. Worshan, Jr.  
Worshan, Corsi, Scott & Dobur  
P.O. Box 674027  
Marietta, Georgia 30006

This 1st day of April, 2021.

s/ Gwendolyn D. Havlik

Gwendolyn D. Havlik

**Georgia Bar No. 574891**

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